

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

DPIX, LLC., ) Case No.: 5:10-CV-03438 EJD  
Plaintiff, )  
v. )  
AMERICAN GUARANTEE AND LIABILITY )  
INSURANCE COMPANY, ET AL., )  
Defendants. )  
)  
**ORDER CONTINUING CASE  
MANAGEMENT CONFERENCE AND  
REQUIRING UPDATED CASE  
MANAGEMENT STATEMENT**  
**(Re: Docket No. 48)**

On November 3, 2009, Plaintiff filed this action in Santa Clara County Superior Court. On August 5, 2010, Defendants removed the action to this court, and the case was assigned to Magistrate Judge Patricia Trumbull. After Plaintiff declined to proceed before a magistrate judge, the case was reassigned to Judge Jeremy Fogel. Judge Fogel held an initial case management conference on November 5, 2010, during which he referred the case to private mediation, and a further case management conference on February 11, 2011. The docket does not indicate that a schedule was set at those conferences.

On April 25, 2011, the case was reassigned to the undersigned and a case management conference was scheduled for September 23, 2011. On September 8, 2011, pursuant to the parties' stipulated request, the case management conference was continued to October 14, 2011. On

October 7, 2011, pursuant to the parties' second stipulated request, the case management conference was continued to January 13, 2012.

On January 6, 2012, the parties filed a third stipulated request to continue the case management conference to March 2012. See Docket No. 48. Although the case has been pending in this court for almost one and a half years, the parties' joint statement informs the court that no discovery or motion cut-off has been scheduled. Accordingly,

IT IS HEREBY ORDERED that, no later than January 13, 2012, the parties shall file a joint case management statement that proposes a schedule, a discovery plan, and any limits on discovery.

IT IS FURTHER ORDERED that the case management conference is continued to January 20, 2012.

Dated: January 11, 2012

  
EDWARD J. DAVILA  
United States District Judge